



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **BALLATO et. al**

Application Serial No.: **10/669,282**

Application Filed: **September 24, 2003**

Attorney Docket No.: **CECOM 5501**

For: **ELECTRODE-FREE RESONATOR STRUCTURES FOR FREQUENCY CONTROL, FILTERS AND SENSORS**

Sir:

In accordance with Revised Amendment Format, these Remarks are submitted to support amending the above-identified application.

REMARKS

Claims 1-54 are now in the case. No new claims have been added. Claims 1 and 12 are amended.

As required by the Revised Amendment Format, separate Amendments To The Claims, Amendments To The Specification and these Remarks are enclosed with this Amendment.

This application was filed with informal drawings. A Notice To File Corrected Application Papers dated February 17, 2004 required Applicants to submit replacement drawings in compliance with 37 CFR § 1.84 and 37 CFR § 1.121. By letter dated April 14, 2004, the Applicants submitted the necessary formal drawings. While reviewing the formal drawings, the undersigned Attorney discovered a few minor discrepancies between the drawings, specification and claims concerning the use of the subscripts "l₄" and "l₇" to describe certain acoustic gaps.

For example, FIG. 3A depicts a first acoustic gap, l₄, with callout number 32, but the specification describes the same element with subscript l₇, which is incorrect. The purpose of this Preliminary Amendment is to correct the minor discrepancies between the drawings, specification and the claims concerning the use of the proper subscript "l₄" instead of "l₇" in connection with certain acoustic gaps. It is respectfully requested that the claims, as amended, be allowed and pass to issue.

This Preliminary Amendment corrects five (5) specification paragraphs where an

incorrect subscript "l₇" is used to describe certain acoustic gaps. For example, FIG. 3A depicts a first acoustic gap 32 with the subscript l₄, however, specification page 5, line 18, describes the same element as "first acoustic gap, l₇, 32." The informal and formal drawings both use the correct subscript "l₄" instead of "l₇." It is respectfully submitted that the specification's use of subscript "l₇" in this instance is incorrect and that subscript "l₄" should be substituted for subscript "l₇." The same discrepancy was also corrected for the same error at:

specification page 6, line 6;
specification page 6, line 11;
specification page 7, line 3; and
specification page 7, line 23.

Similarly, claim 1, lines 15-16 incorrectly recites a "first acoustic gap, l₇," and a "second acoustic gap, l₇," but should instead recite subscript l₄. The same error has been corrected in claim 12, line 11, which incorrectly recites an "acoustic gap, l₇," but should instead recite subscript l₄.

It is respectfully submitted these corrections have been made without adding prohibited new matter to the specification and claims. FIG'S 3A, 4A, 5A and 6A of the informal drawings all depict an l₄ acoustic gap, with call-out numbers 32, 51, 72 and 91, respectively. FIG'S 3A, 4A, 5A and 6A of the formal drawings all depict an l₄ acoustic gap, with call-out numbers 32, 51, 72 and 91, respectively. Specification page 9, line 19 correctly describes "...the first and second acoustic gaps, l₄, 72 and 79, respectively," for one embodiment of this invention. Additional support is also found at claim 22, lines 16-20 and claim 33, lines 14-16, which both recite acoustic gaps with the correct l₄ subscript. Therefore, it is respectfully submitted that correcting the acoustic gap subscript from l₇ to l₄ is adequately supported by the specification and does not constitute adding prohibited new matter.

In conclusion, it is respectfully submitted that five (5) specification passages and claims and 1 and 12 have been revised to correct an inadvertent error concerning the incorrect use of an acoustic gap subscript l₇ instead of subscript l₄. It is respectfully requested that the claims, as amended, be allowed and pass to issue.

Should the Examiner require further information, the Examiner is invited to telephone the applicants' attorney at the telephone number listed below.

Respectfully Submitted,



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17 May 2004

DATE